

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

**DEFENDANT'S UNOPPOSED MOTION TO
SUBSTITUTE COUNSEL**

Defendant Abdul Wasi Safi, through undersigned counsel, moves to substitute his counsel and requests the Court grant permission to replace Javier N. Maldonado and Rodrigo Borja with Erica Benites Giese and Zachary Fertitta as attorneys of record and allow Mr. Maldonado and Mr. Borja to withdraw. In support of this motion, Defendant would show as follows:

1. Mr. Safi previously retained Javier N. Maldonado and Rodrigo Borja to represent Defendant in this case. Mr. Safi no longer wishes to be represented by Javier N. Maldonado and Rodrigo Borja.
2. Mr. Safi has retained Erica Benites Giese and Zachary Fertitta to represent him in this case. Defendant approves of this substitution.
3. Mr. Zachary Fertitta is currently not admitted to the Western District of Texas, and will separately file a Motion for Admission Pro Hac Vice.
4. On December 27, 2022, Erica Benites Giese conferred with Mr. Javier Maldonado and he does not oppose this substitution.

This motion is not brought for delay, but to allow Defendant to be represented by

counsel of his choice.

WHEREFORE, PREMISES CONSIDERED, Abdul Wasi Safi prays that this Court enter an order allowing Erica Benites Giese and Zachary Fertitta to substitute in as counsel of record for Mr. Safi, and allow Javier N. Maldonado and Rodrigo Borja to withdraw as counsel.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: /s/ Erica B. Giese
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ZACHARY B. FERTITTA P.C.

Zachary B. Fertitta (pro hac pending)
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I have read this motion and request that Erica Benites Giese and Zachary Fertitta replace Javier N. Maldonado and Rodrigo Borja.

[signature page attached hereto as Exhibit 1] Date _____
Abdul Wasi Safi

CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2022, a true and correct copy of the foregoing document was served electronically, via ECF, which will send notification of such filing to all counsel of record, including:

James Ward
Assistant United States Attorney

/s/ Erica B. Giese
Erica Benites Giese

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

**UNITED STATES OF AMERICA,)
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)
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v.)
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ABDUL WASI SAFI)
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ORDER

On _____, came to be considered Defendant's UNOPPOSED MOTION TO SUBSTITUTE COUNSEL and this Court is of the opinion that such motion should be GRANTED and it is hereby GRANTED.

It is ORDERED that Erica Benites Giese and Zachary Fertitta shall appear as attorneys of record to represent Defendant in this proceeding. It is also ORDERED that Javier N. Maldonado and Rodrigo Borja are terminated as attorneys for Defendant. All orders, pleadings, and correspondence shall be served on Ms. Erica Benites Giese and Mr. Zachary Fertitta.

SO ORDERED this _____ day of _____, 202__.

ALIA MOSES
Chief United States District Judge